

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

)	
WILLIAM JEWETT, JR.,)	
Petitioner)	
)	
v.)	Civil Action No. 05-11849-GAO
)	
BERNARD BRADY,)	
Respondent)	
)	
)	

PETITIONER'S ASSENTED TO MOTION TO CONTINUE

Petitioner, William Jewett, Jr., respectfully moves this Court to continue the date for filing of his brief herein from December 14, 2007 to December 21, 2007.

As grounds wherefore, petitioner states that the December 14, 2007 date was an extension from the original October 31, 2007 date for filing. On November 6, 2007, counsel began the second degree murder trial in the case of *Commonwealth v. Patrick Byrne*, Plymouth Superior Court No. 06-00244/001-005. The jury rendered its verdict on November 26, 2007. Mr. Byrne was acquitted of second degree murder, but convicted of various lesser offenses, including Motor Vehicle Manslaughter (M.G.L. c. 265, § 13 ½) and Operating Under the Influence with Serious Bodily Injury (M.G.L. c. 90, § 24L). Sentencing on those counts occurred December 10, 2007, and counsel spent significant time between November 26 and December 10 preparing for sentencing, including visiting Mr. Byrne and various members of his family, collecting letters in support, and discussing the case with the probation officer. Counsel has also been preparing for, and training a new associate to assist him with, the first degree murder trial in *Commonwealth v. John Tibbs*, Suffolk Superior Court No. SUCR2001-10170, which goes to trial January 2, 2008.

As a result of these commitments, counsel needs the requested additional time to properly

prepare the brief in this case. Counsel has been unable to consult with his client regarding the brief, and the additional time will all him to do so. There is no prejudice to respondent in allowing this motion, and respondent assents to this motion. It is in the interests of justice that this motion be allowed.

WILLIAM JEWETT, JR.

By his attorney,

/s/ *John H. Cunha Jr.*

John H. Cunha Jr.

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Dated: December 12, 2007

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CERTIFICATE OF SERVICE

I certify that a copy of the foregoing document was served via electronic filing upon AAG Eva M. Badway, Attorney General's Office, One Ashburton Place, Boston, MA 02108-1698.

/s/ *John H. Cunha Jr.*

John H. Cunha Jr.